

REMARKS

Claims 15 and 27 have been amended to clarify the subject matter regarded as the invention. Claims 1-38 remain pending.

The Examiner has indicated that claims 1-14 are allowed. Claims 25, 26, 29, 30, and 35 are objected to and claims 15-24, 27, 28, 31-34, and 36-38 have been rejected.

The rejections are respectfully traversed. As amended, claim 15 recites "...an acoustic switch configured to allow electrical energy to flow from the energy storage device to the at least one of the controller and the one or more acoustic transducers upon acoustic excitation...."

Neither Walsh et al. (U.S. Patent No. 6,200,265) nor Funke (U.S. Patent No. 5,113,859) teach or suggest the claimed invention. Thus, Applicants submit that claim 15 is allowable.

Claims 16-26 depend from claim 15 and are believed to be allowable for the same reasons described above. Further claim 27 was amended similarly to claim 14 and is also believed to be allowable for the same reasons as those stated above for claim 15. Claims 28-38 depend from claim 27 and are also believed to be allowable for the same reasons as those stated above for claims 15 and 27.

PATENT
224750-7015285001
(262/229)

Reconsideration of the application and allowance of all claims are respectfully requested based on the preceding remarks. If at any time the Examiner believes that an interview would be helpful, please contact the undersigned.

DATE: June 18, 2004

Respectfully submitted,

By:



Scott S. Kokka
Registration No. 51,893

Bingham McCutchen LLP
Three Embarcadero Center, Suite 1800
San Francisco, California 94111
Telephone: (650) 849-4906
Telefax: (650) 849-4800